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ABSTRACT

The National Center for Children in Poverty(NCCP)has developed a series of issue briefs on the effects of welfare reform on children living in poverty. This issue brief is based in part on "Map and Track: State Initiatives to Promote Responsible Fatherhood," a report supported by The Annie E. Casey Foundation and prepared by NCCP in 1997. The issue brief expands on some of the information on federal changes in the welfare program presented in "Map and Track" and outlines the provisions in the PRA that are related to fatherhood. Of particular interest to educators will be the discussion of the provisions pertaining to "Abstinence Education" (p. 16). Also presented are ways states can help children by including responsible fatherhood as part of their welfare reform agenda. The issue brief takes into account the PRA's legislative emphasis on responsible parenthood and the role of noncustodial and nonresident fathers as economic providers for their children. Main sections of the issue brief are: (1) "What We Know about Low-Income Fathers"; (2) "Fathers as Economic Providers"; (3) "Engaging Fathers in the Nurturing of Their Children"; (4) "Evaluating the Effectiveness of Father-Related State Policies"; and (5) "A Framework for States to Analyze the Implications of the Fatherhood-Related Provisions in the PRA." The brief concludes with a glossary of welfare reform terms. (EV)

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Children and Welfare Reform

Issue Brief 4

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Responsible Fatherhood and Welfare: How States Can Use the New Law to Help Children

Stanley Bernard

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This issue brief grew out of NCCP's work on fatherhood issues and is part of a series on Children and Welfare Reform, both supported by the Annie E. Casey Foundation.

Series Introduction

Recent federal welfare legislation, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRA), can have a major impact on the health and development of young children living in poverty. A growing body of research points to an emerging consensus that successful policies for families must take into account the needs of children when addressing the needs of parents and the needs of parents when addressing the needs of children. Welfare reform has the potential to help or hurt children in three major ways: (1) by changing family income; (2) by changing the level of parental stress and/or parenting styles; and (3) by changing children's access to comprehensive family support and child-focused services.[1] Building on this framework, the National Center for Children in Poverty (NCCP) has developed a series of issue briefs on children and welfare reform to help policymakers, community leaders, and advocates use the opportunities afforded by welfare reform in ways that are most likely to benefit *both* children and adults.

The following issue brief is based, in part, on *Map and Track: State Initiatives to Promote Responsible Fatherhood*, a report supported by The Annie E. Casey Foundation and prepared by NCCP in 1997. *Map and Track Fatherhood* describes the activities of the 50 states, the District of Columbia, and Puerto Rico to encourage responsible fatherhood and offers a framework for states to look at their fatherhood-related programs. This issue brief expands on some of the information on federal changes in the welfare program presented in *Map and Track Fatherhood* and outlines the provisions in the PRA that are related to fatherhood. It also presents ways states can help children by including responsible fatherhood as part of their welfare reform agenda. The issue brief takes into account the PRA's legislative emphasis on responsible parenthood and the role of noncustodial and nonresident fathers as economic providers for their children.[2] As the issue of promoting responsible fatherhood grows from a movement of a few concerned individuals and national agencies to a more complex field of study, it is imperative that policymakers and advocates become aware of the issues that affect fathers and the potential to incorporate fatherhood activities in their on-going agenda.

These issue briefs are part of a larger Leadership Network on Children and Welfare Reform. NCCP takes responsibility for the facts and opinions presented in this issue brief. The author would like to give special thanks to those who read earlier drafts of this issue brief, especially Eric Brenner, formerly at the Council of Governors' Policy Advisors, now at JBS, Inc., Linda Mellgren of the Office of the Assistant Secretary for Planning and Evaluation, U.S. Department of Health and Human Services, and Paula Roberts of the Center for Law and Social Policy.

NATIONAL CENTER FOR CHILDREN IN POVERTY (NCCP) was established in 1989 at the School of Public Health, Columbia University, with core support from the Ford Foundation and the Carnegie Corporation of New York. The Center's mission is to identify and promote strategies that reduce the number of young children living in poverty in the United States, and that improve the life chances of the millions of children under age six who are growing up poor.

The Center:

- Alerts the public to demographic statistics about child poverty and to the scientific research on the serious impact of poverty on young children, their families, and their communities.
- Designs and conducts field-based studies to identify programs, policies, and practices that work best for young children and their families living in poverty.
- Disseminates information about early childhood care and education, child health, and family and community support to government officials, private organizations, and child advocates, and provides a state and local perspective on relevant national issues.
- Brings together public and private groups to assess the efficacy of current and potential strategies to lower the young child poverty rate and to improve the well-being of young children in poverty, their families, and their communities.
- Challenges policymakers and opinion leaders to help ameliorate the adverse consequences of poverty on young children.

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Fathers play two integral and related roles in promoting their children's well-being: (1) they provide their children economic support to ensure that basic needs are met and (2) they provide a safe and nurturing environment while working with other caregivers and institutions to help their children grow to healthy adulthood. However, over the past two decades, the number of children growing up without a father has increased by 56 percent. Although most children still grow up in two-parent families, over 16 million children live in homes affected by father absence, generally because they are born to unwed parents or are affected by divorce.[3]

Research on promoting responsible fatherhood suggests that when fathers provide for their children economically and are regularly and positively connected to them, whether or not the father lives in the home, children do better emotionally and have fewer behavioral problems.[4] Thus, encouraging responsible fatherhood is central to an agenda for children in the context of welfare reform. Such an agenda is based on the fact that welfare reform can affect children in any of three central ways: (1) by affecting family income, (2) by affecting parenting styles and levels of parental stress, and (3) by affecting the quality of services that children receive. Welfare reform efforts that consider fathers' value to the family as it relates to each of these issues can help states build an agenda for children that acknowledges the broad range of children's needs.

This issue brief discusses those provisions in the Personal Responsibility and Work Opportunities Reconciliation Act of 1996—P.L. 104-193 (PRA), and those in the Balanced Budget Act of 1997 (BBA) that are related to fatherhood.* It gives some suggestions to states on how to promote responsible fatherhood given the federal laws, presents some of the previous welfare laws related to fatherhood, and provides a brief overview of PRA provisions that affect fathers.

When fathers provide for their children economically and are regularly and positively connected to them, whether or not the father lives in the home, children do better emotionally and have fewer behavioral problems.

Key Provisions in the PRA Related to Fathers

The preamble to the PRA states that responsible fatherhood and motherhood are central to the healthy growth and development of children. The following four provisions in the PRA seek to promote responsible fatherhood.

- *Increasing child support enforcement*

  The new federal law increases the level of expected child support enforcement and paternity establishment by the states.

- *Eliminating barriers to employment*

  The PRA as amended by the Balanced Budget Act of 1997 allows states to use Welfare-to-Work funds for noncustodial parents of children whose custodial parents are TANF recipients with specified barriers to employment and who are long-term welfare recipients or are at risk of reaching their lifetime limits.

- *Reducing out-of-wedlock births*

  Congress included a provision in the new welfare block grant program to reward states that reduce the number of out-of-wedlock births and develop new approaches to prevent out-of-wedlock childbearing without increasing the number of abortions. An annual amount of $100 million has been set aside to reward states for their efforts. Up to five states per year are eligible for a maximum of $20 million ($25 million if less than five states qualify) annually.

- *Increasing access and visitation for noncustodial parents*

  A pool of $10 million in grants is available to states for the development of access and visitation programs to increase the involvement of noncustodial/nonresident parents in the lives of their children.

* See the glossary on pages 21–22 for a fuller explanation of past and present welfare-related programs mentioned in the issue brief series.

What We Know About Low-Income Fathers

Although having a father present is second only to employment for helping a family escape welfare dependence,[5] that does not mean that families with fathers do not receive welfare. In fact, in 1996, although the majority of young children receiving welfare (71 percent) were in fatherless families, one in five young children (21 percent) receiving welfare were in two-parent families.[6] (The remaining children were living with other adults.)

Over 82 percent of all children under age 18 have resident fathers who are working full-time.[7] Among all young children under age six living in "traditional" families where the father works full-time and the mother is unemployed, 14 percent are still in poverty. In fact, nearly one-third of all poor young children live with married parents.[8]

A study by The Urban Institute found that only 31 percent of low-income noncustodial fathers work full-time year round, while 54 percent have intermittent work.[9] Among noncustodial fathers who pay child support, low-income fathers are likely to spend a higher percentage of their income on child support than are higher-income fathers. In fact, noncustodial fathers paying support who are in the lowest income brackets pay about 28 percent of their income to child support, while those in the highest income brackets pay 10 percent of their income.[10] Typically, even full payment of child support does not move poor children out of poverty, but it does make a difference in the overall income of the custodial parent. Research indicates that whatever the father provides is important to the child's well-being. One study found that the average total income of custodial parents receiving child support owed them was 45 percent higher than that of a family receiving no child support.[11]

Among noncustodial fathers who pay child support, low-income fathers are likely to spend a higher percentage of their income on child support than are higher-income fathers.

Fathers as Economic Providers

The PRA has the potential to increase family income by encouraging responsible fatherhood in three distinct ways: (1) by providing employment and training to fathers; (2) by increasing child support collections; and (3) by increasing the distribution of child support collected on behalf of families receiving Temporary Assistance to Needy Families (TANF) funds. (TANF is the block grant authorized by the PRA which has replaced the Aid to Families with Dependent Children (AFDC), Emergency Assistance, and the Job Opportunities and Basic Skills (JOBS) programs.)

Employment and Training

In order to pay owed child support, the noncustodial parent must first have income. The PRA allows states to give courts and child support administrative agencies the authority to order nonpaying noncustodial parents of children receiving TANF into work activities if they are unemployed. Implicit in this is the necessity for states to provide noncustodial parents, usually fathers, with state- or community-supported jobs and other work activities and, in some cases, to provide training to increase the possibility of their becoming employed. The recently enacted Balanced Budget Act of 1997 explicitly allows states to use newly available Welfare-to-Work (WtW) program funds for this purpose. Under previous law, states would have to acquire a waiver from the U.S. Department of Health and Human Services in order to extend training services provided by the JOBS program to nonresident fathers.

The decision for states to spend WtW funds on noncustodial parents, who may or may not be directly in-

How States Are Focusing on Employment and Training of Low-Income Noncustodial Fathers

Eighteen states indicated in *Map and Track: State Initiatives to Encourage Responsible Fatherhood* that they have sponsored initiatives to help fathers assume their responsibility as economic providers by providing employment and training initiatives. Three of those states and their programs are described below.

- ARKANSAS

  The Alternative Parental Support Program, administered by the Child Support Enforcement Agency, provides noncustodial parents with job training, education, family planning, and positive parenting education. Fathers in the program have the option of postponing child support payments until they complete the program. If the father is dismissed from the program for not fulfilling any of the requirements, he may have to pay all past-due support.

- CONNECTICUT

  The Hartford Housing Authority Family Reunification Project is a collaborative program between the Hartford Housing Authority and the state Child Support Enforcement Agency. Noncustodial parents are placed in jobs associated with the reconstruction of housing in the city. While in the program, fathers are helped by staff from the Department of Social Services to reunite with their children and build strong relationships.

- NEVADA

  The state now includes family planning, paternity issues, and other fatherhood-related topics in all of its employment and training classes.

Source: Knitzer, J. & Bernard, S. (1997). *Map and track: State initiatives to promote responsible fatherhood*. New York, NY: National Center for Children in Poverty, Columbia School of Public Health.

volved with their children, is a difficult one. So far, few states have indicated an interest in using BBA funds to help noncustodial parents.[12] These funds primarily provide job assistance to those long-term TANF recipients who are within one year of reaching their lifetime limit and who have a difficult time securing and maintaining employment due to lack of education, substance abuse, or poor work history. In fact, states are required to spend at least 70 percent of WtW funds on individuals meeting at least two of the above barriers to employment; on those who have the three identified barriers but no longer receive TANF because they have reached federal or state imposed lifetime limits; or on noncustodial parents who have a child whose custodial parent has some or all of the barriers. Therefore,

Fathers who have a rapport with their children, even those who are unemployed, are willing to share the care for the child with their partners and are willing to provide in-kind supports (such as diapers, groceries, or in-home care while the mother works) to their children, even if they cannot afford to pay formal child support.

even if states do opt to use WtW funds for noncustodial parents, they may have a difficult time finding fathers who qualify. With such limitations on the funds, it may be better for states to supplement existing programs rather than create new ones. For example, WtW funds could be used to expand a number of training programs that have traditionally served men, including those funded by the Job Training Partnership Act (JTPA).[13] States can also include a parenting component in these initiatives as was done in Louisiana, where the state solicited verbal acknowledgment from all local JTPA programs planning to administer WtW funds that some of the funds would be earmarked to provide parent training to noncustodial parents.[14]

Child Support Collection

The PRA enhances preexisting child support enforcement provisions and sanctions states that do not enforce child support laws. There are four steps to child support enforcement: (1) establishment of paternity; (2) establishment of child support orders; (3) collection of child support; and (4) distribution of collected child support to the family. The PRA addresses each of these areas.

The PRA stipulates that states should create a simple procedure for establishing paternity for children born to unwed mothers. The majority of states have already done this.[15] However, most states still focus on paternity as a means of getting nonresident fathers into the formal child support system. Several studies cite this approach as a major reason unmarried fathers avoid establishing the paternity of their children, even when

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they want to be a part of their children's lives.[16] These men, often referred to as "underground fathers," may be involved in the lives of their children secretly, but will not affirm paternity for fear of being "caught" by the formal system. Another approach states can consider is linking paternity establishment to "father-affirming" services that provide parenting skills and esteem building to enhance the father's relationship with the child as soon as the child is born.[17] It has been shown that fathers who have a rapport with their children, even those who are unemployed, are willing to share the care for the child with their partners and are willing to provide in-kind supports (such as diapers, groceries, or in-home care while the mother works) to their children, even if they cannot afford to pay formal child support.[18] Although studies are inconclusive as to the links between in-kind supports from unemployed or underemployed fathers and payment of formal child support when the father is fully employed, the bond the fathers make with the children may later increase their willingness to comply with child support orders when they do find employment.[19]

Child Support Distribution

The collection and distribution of child support to the family are the crucial steps in child support enforcement. After paternity is established, the state can, through a court proceeding, establish a child support order and enforce the collection of that order. Depending on the amount of the collection, child support can be a substantial part of a family's income. On the average, custodial mothers receive about $3,011 a year in child support, accounting for about 17 percent of their income.[20] However, for families receiving TANF, collected child support is not seen by many as a means of leaving public assistance, because it is currently used primarily to reimburse the state for benefits given to the family through TANF or Medicaid. For the low-income noncustodial father who pays, on average, 28 percent of his income to child support, the belief that the money goes to the state rather than to his children is a strong disincentive for continuing to pay.[21] (See box at right for more details on the distribution of child support arrears to TANF families.)

For the low-income noncustodial father who pays child support, the belief that the money goes to the state rather than to his children is a strong disincentive for continuing to pay.

Families First: A New Distribution Scheme for Child Support Arrears

Under the Aid to Families with Dependent Children (AFDC) system

If unpaid child support accumulated before or after the family received welfare, families were usually paid after the state and federal governments were reimbursed for any benefits paid to the family while they were on AFDC.

Under TANF

Under the new "families-first" policy, families no longer receiving TANF will have priority in receiving child support arrears. As of October 1997, unpaid child support that accumulates after the family leaves welfare is paid to the family first, before the state and federal governments are reimbursed.[22] The PRA also stipulated that until October 1, 2000, arrears that accumulated prior to the family's receiving welfare are to be reimbursed to the state and federal governments before the family receives owed support. After that time, families with unpaid child support that accumulated before they were on welfare will be paid before the state and federal governments.

Under the Balanced Budget Act of 1997

States are given the option to implement this new distribution scheme beginning October 1, 1998. By implementing the arrears distribution earlier rather than later, states can help low-income families increase their income as soon as they leave TANF. Few states have indicated that they will provide pre- and post-welfare child support arrears to families first by October 1998. In December 1997, when NCCP conducted a survey of the states on welfare-related issues, the majority of states were still debating when to start implementing the families-first distribution scheme. Only 13 states (Alabama, Arizona, California, Connecticut, Georgia, Kentucky, Nebraska, Nevada, Ohio, South Carolina, Vermont, West Virginia, and Wyoming) indicated that they would start the new distribution scheme by October 1998.

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Under the AFDC program, with the exception of the $50 pass-through (or $50 disregard), which stipulated that the first $50 of current child support collected would go directly to the family and be disregarded when calculating eligibility and level of cash award, child support collections for families receiving welfare benefits went to reimburse the state and the federal government for the assistance paid that month. If there was any of the collection left after this reimbursement, the money went to the family but was considered in determining their eligibility status and grant amount.[23]

Under the PRA, the states have several options. They can: give all the collected support to the family (and choose whether or not to count it when calculating TANF grants); provide a pass-through and disregard greater than, equal to, or less than $50; or give nothing to the family. The Balanced Budget Act allows states to count collected support distributed to TANF families as part of their TANF maintenance-of-effort requirement. According to a recent NCCP survey, 21 states have indicated that they will give some or all of the collected support to families receiving TANF. Thirteen of the 21 states are continuing to pass through and disregard $50. Seven states (Connecticut, Georgia, Maine, Nevada, South Carolina, Tennessee, and Wisconsin) indicated that they are giving the families more than the recommended $50. One state, Wisconsin, has indicated that it plans to pass through the entire collected support and count it as earnings when determining the family's grant amount, and one state (Kansas) indicated that it will pass through less than $50. Thirty states have ceased to pay any pass-through to TANF families. One state (West Virginia) has indicated that although it has discontinued the child support pass-through, benefits have been increased by up to $50 for those receiving TANF who also have an established child support order.

Child Support Assurance (CSA)

In addition to distributing child support arrears to post-TANF families, some states are also trying to help working poor families by developing child support assurance programs,[24] such as New York's Child Assistance Program (CAP).[25] and California's three CSA demonstration projects.[26]

What is child support assurance?

CSA is a method of long-term income security for children in working-single-parent families. Child support assurance can help children of all income categories in single-parent families where a child support order has been established.

Components

CSA includes a child support guideline that sets a standard level of child support payment based on the income of the noncustodial parent and the number of children supported; routine withholding of income from wages and other income; and an assured child support benefit to children from the state if the noncustodial parent cannot make the full payment during a month.

Benefits

CSA emphasizes the need for the custodial parent to establish paternity and a child support order for every child; ensures some income to the family even if the noncustodial parent stops paying for any reason; helps working families to maintain adequate income regardless of poverty status; gives child support collections directly to the family rather than to the state as reimbursement for welfare; may eliminate the need for single parents to turn to public assistance if they are assured some regular income; and prompts the state to increase its efforts to collect child support and to keep the noncustodial father employed to ensure that he pays so the state does not have to.[27]

Research findings

New York's Child Assistance Program (CAP) is the only CSA program studied in any detail. According to the evaluators, the results of the CAP study were "among the most positive to emerge from any welfare reform initiative that has been rigorously evaluated." The evaluation found:

- a 25% increase in the number of families obtaining child support orders;
- an average 27% increase in monthly family earnings;
- an average 4% increase in total family income after two years;
- an increased chance of the family having income above the federal poverty line; and
- an average state saving of $2 per month for each family.

The state of New York has recently amended its TANF plan to offer CAP statewide as a district option.

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Engaging Fathers in the Nurturing of Their Children

Among fathers of preschool-aged children, one in four act as the primary caretaker for their children while the mother works.

The PRA has the potential to help children by involving fathers not only in the financial aspects of their children's lives but also in the nurturing of their children. There are three very important ways states can use the PRA to involve fathers in nurturing: by acknowledging fathers as part of the TANF family unit, by providing training in parenting to help fathers be more capable of accepting their paternal responsibility, and by increasing the opportunities for fathers to interact with their children and their children's caretakers (e.g. child care providers, preschool teachers).

Acknowledging Fathers' Presence

The PRA provides states with new latitude to shape the definitions of "family" and "unemployed" and, subsequently, the requirements for benefit eligibility. To be eligible for TANF, a child must still reside with a parent or relative and must still meet the state definition of need. However, states no longer have to adhere to the strict definitions of unemployment and rules for eligibility of the second parent. Thus, since it is up to the state to define what constitutes a family, theoretically, a state can include those fathers not physically in the homes of TANF-eligible children as part of the family unit, making them eligible for employment training, subsidized employment, and activities that promote personal development, which are sometimes offered with TANF and typically target mothers receiving welfare.

Equally important, for cases where the father is already in the home, the state can provide TANF assistance to families where both parents are present even when they are employed. In those states that choose to provide this coverage, poor fathers can stay with their families without fear that their presence will cause the family to lose their economic support. All 50 states and the District of Columbia have indicated that they will provide TANF benefits to two-parent families.[28] Although under previous federal welfare law, the Aid to Families with Dependent Children-Unemployed Parents (AFDC-UP) program allowed states to provide benefits to two-parent families, the PRA allows states to eliminate some of the rules defining employment, such as the "100-hour rule" and many of the definitions of "unemployed" that helped to restrict the provision of benefits for families with a father in the home.[29]

Involving Fathers in the Care of Their Children

The PRA places an emphasis on work by including strict work requirements for families receiving TANF. In those homes where there are two parents present, one parent may stay at home and take care of the children as long as the other parent works a total of at least 35 hours per week. In the current job market, the "stay-at-home" parent is just as likely to be the father as the mother of the children. Studies have shown that fathers can and do care for their children. A recent report by the Census Bureau indicates that one in five fathers in married-couple families where the mother is employed provides care for the children while their mother is working. Among fathers of preschool-aged children, one in four act as the primary caretaker for their children while the mother works.[30]

Many programs have found that fathers are much harder to involve than mothers in parenting skills training programs.[31] In addition, studies show that in many cases, fathers who feel that they do not have anything to contribute to the family or that their presence may prevent the family from receiving needed assistance, do not stay connected to their families.[32] Rather than doing additional outreach to get fathers into programs, states can attach a parenting component to already existing programs that help men or can include parent training in systems that primarily serve men. For example, at least four states (Connecticut, Illinois, Louisiana, and Nevada) have indicated that they have an explicit parenting component in their job training programs for low-income fathers. Eight states (Arkansas, Delaware, Illinois, Maryland, Missouri, New Jersey, Oklahoma, and Vermont) have programs in their corrections systems that target incarcerated fathers for

How States Are Focusing on Fathers' Relationships with Their Children

Some states are making innovative policy changes to involve men with their children in a nurturing and positive way. Three states' efforts at encouraging men to be more involved with their children are listed below.

- CONNECTICUT

  The state is getting men involved with their children by adding a fatherhood component to their Head Start program. Connecticut is using a grant from the U.S. Office of Child Support Enforcement to fund a pilot program that provides outreach to noncustodial fathers of children enrolled in Head Start. Fathers in the project will attend parenting classes, work in classrooms with their children, and receive all services available to other Head Start parents. The aim of the project is to encourage fathers to provide emotional as well as financial support to their children.

- HAWAII

  The Hana Like Home Visitor Program uses Healthy Start funds to provide home visiting to fathers along with a father's parenting group called the Hui Makuakane, which literally means "group of fathers." The group was established to help fathers at risk of abusing their children learn parenting skills. Group outings and other activities help fathers to become connected to their children.

- SOUTH CAROLINA

  The governor has instructed a cabinet agency to develop family-friendly work policies for state employees that allow fathers and mothers to spend more time with their children.

Sources: Knitzer, J. & Bernard, S. (1997). *Map and track: State initiatives to promote responsible fatherhood*. New York, NY: National Center for Children in Poverty, Columbia School of Public Health; and Committee on Human Resources, Employment, and Social Services Policy Division (1998). *Promoting responsible fatherhood* (StateLine, Feb. 22). Washington, DC: National Governors' Association, Center for Best Practices.

parent training and four states (California, Louisiana, Missouri, and New Mexico) provide parent training to incarcerated teen fathers.[33]

States may also be able to use child support enforcement waivers for fatherhood initiatives. The Administration for Children and Families, U.S. Department of Health and Human Services, is currently offering waivers that will allow states to use child support enforcement funds under Title IV-D, the child support enforcement portion of the Social Security Act, to provide initiatives that promote responsible fatherhood. One such waiver has already been approved for Tacoma, Washington, which uses the funds to support Devoted

Fathers who feel that they do not have anything to contribute to the family or that their presence may prevent the family from receiving needed assistance, do not stay connected to their families.

Dads, an innovative program that seeks to promote the role of fathers in the financial and emotional support of their children by targeting young noncustodial fathers who reside primarily in the Tacoma, Washington empowerment community. The program has built a collaborative partnership between the state Division of Child Support, Tacoma-Pierce County Health Department (which supplies local matching funds), Metropolitan Development Council (a major service provider), and the Tacoma Empowerment Community (the enterprise agency).[34]

Promoting Access and Visitation for Noncustodial Fathers

The PRA also seeks to promote family stability through funds set aside for access and visitation programs for divorced parents and parents who live apart. States can use the money to provide parents in conflict with counseling, mediation, or other services to help lessen the stress of divorce on children as well as prevent family disruption. States can apply for $50,000 grants from the federal government to develop and enhance existing state-funded programs that promote access and visitation.

Although it is not a great deal of money, access and visitation funds give states the ability to experiment with creating programs for noncustodial parents who are least likely to be involved with their children, due to disagreements with the custodial parent, by providing a supervised and protective environment for those who are at risk of domestic abuse but who wish their children to maintain contact with the father. Such funds allow states to create or enhance existing programs, such as counseling and mediation, that may help parents who are moving apart to reconsider the impact of separating on the children or may improve their ability to co-

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parent even when they live apart. One example of a state that is planning a comprehensive access and visitation program is Iowa, which already requires all couples filing for divorce to attend a mandatory education program on the impact of divorce on children. The state has also proposed legislation to give noncustodial parents more access to their children by developing neutral, monitored drop-off and pickup sites.[35]

Evaluating the Effectiveness of Father-Related State Policies

At the local program level, many fatherhood initiatives are just getting started and serve a small number of clients; therefore, management information systems are not yet in place. The resulting reliance on anecdotal information leaves funders skeptical of program effectiveness.[36] In addition to those provisions related to getting noncustodial fathers more involved emotionally and financially with their children, the PRA includes provisions intended to encourage responsible parental behaviors, such as those that seek to reduce out-of-wedlock births and abortion rates or those that attempt to get men to pay child support or establish paternity. Many of the provisions of the new law are based on state child support reform approaches that were not fully evaluated or were never evaluated at all. Unfortunately, the new law also lacks incentives for states to evaluate or monitor the impact of these provisions on the behaviors they are designed to modify.

For example, penalties such as revocation of driver and professional licenses and denial of passports to discourage noncustodial parents from fleeing to avoid their child support obligations are among the most strict of the behavioral sanctions states can apply. To date, 25 states report having already implemented license revocation sanctions for noncustodial parents.[37] One state, Illinois, has reported anecdotal information that child support payments increased right after such sanctions were implemented. But until there are systematic evaluations of the effectiveness of both positive and negative behavioral sanctions, their efficacy will be unknown.[38]

Unfortunately, the new law does not give the states any incentive to evaluate or monitor the impact of these programs on the behaviors they are designed to modify.

Other aspects of the law, whether created to increase desired behaviors (e.g., cash incentives to increase marriage among welfare recipients) or decrease undesired ones (e.g., provisions on reducing statutory rape) also need further exploration. For example, some states, such as California and Connecticut, have implemented comprehensive programs to increase the prosecution of men committing statutory rape, although studies are beginning to show that the underage women and their male partners in statutory rape cases are similar to older couples in terms of age differences.[39] Studies also show that social workers and others who work with statutory rape cases are ambivalent about holding the young men accountable through prosecution because of the closeness in age of the victim and the perpetrator and the consent of the minor.[40] A review of the demographics of victims and perpetrators as part of the policy development process can help policymakers consider alternatives for dealing with the issue that avoid such ambivalence.

Recommendations

Fathers play a critical role in the development of children. The Personal Responsibility and Work Opportunities Act Reconciliation of 1996, with its emphasis on enhancing child support collections and increasing children's access to both parents, acknowledges the role of fathers in the healthy growth and development of children. States have the opportunity to use some of the provisions in this new welfare law and the Balanced Budget Act of 1997 to encourage fathers to be more responsible for the economic and emotional well-being of their children. However, states need to first understand how the law will affect fathers and their families, whether the father is living in the home or elsewhere. Some states have already taken advantage of the new climate by legislating activities to promote a father's role in nurturing and providing for his children. But more can be done. (See chart at right for specific recommendations.)

Charting PRA Provisions Related to Fathers

The chart on pages 12–18 outlines the provisions in the PRA that will affect fathers and noncustodial parents and suggests steps states can take to encourage responsible parenthood. It is an attempt to simplify a complex set of provisions, some of which are variations of previous law. For each provision, the chart: (1) outlines the previous law; (2) lists the new provisions under the PRA; (3) explains how those provisions affect fathers and noncustodial parents; and (4) offers a strategy for states to consider.

Although the provisions in the PRA refer to all noncustodial parents (including mothers and fathers), for the purposes of this paper, "noncustodial father" is used wherever "noncustodial parent" is stated in the law.[41]

Conclusion

Under welfare reform states have the opportunity to make decisions that will encourage fathers and noncustodial parents to become better providers and nurturers. This issue brief makes clear how states can use this opportunity to benefit children while at the same time help families to become self-sufficient.

What Can States Do to Encourage Responsible Fatherhood While Implementing Their Welfare Reform Agenda?[42]

Helping fathers to be better providers

- Consider linking paternity-establishment initiatives with parenting and responsibility-training initiatives for men while the child is still in the hospital.
- Consider in-kind contributions such as food, diapers, and child care as part of child support award.
- Provide training and job skills preparation coupled with parenting skills for fathers, using funds available through the Balanced Budget Act as well as other state and federal funds.
- Increase family income while encouraging men to be financially responsible for their children by continuing to pass through some portion of collected child support to families receiving TANF.
- Provide families leaving TANF with the full complement of arrears collected on their behalf at the earliest possible date stipulated by the BBA.
- Reduce the pressure on low-wage workers (both mothers and fathers) through state policy (for example, creating a child support assurance program, increasing the state minimum wage, enacting family-friendly medical leave policies, and providing and/or expanding a state Earned Income Tax Credit where applicable.)

Encouraging fathers as nurturers

- Ensure that their fatherhood agenda is comprehensive and focuses on fathers' nurturing and parenting skills to help them share the care of children with mothers.
- Establish access and visitation programs that address the needs of children when parents live apart, and provide a safe environment where fathers can maintain contact with their children.
- Ensure that they are building leadership capacity around fatherhood issues through public-awareness efforts and programs that address the special needs of subgroups of fathers such as teen fathers, minority fathers, incarcerated fathers, and single fathers who are heads of household.

Evaluating effectiveness of father-related policy

- Build the capacity to formally evaluate the effectiveness of sanctions, such as license revocation, in getting nonresident fathers to pay support to their children.
- Determine how many births in the state are to teen mothers and men five or more years their senior. This may help states in deciding how to address the problem of statutory rape.

A Framework for States to Analyze the Implications of the Fatherhood-Related Provisions in the PRA

Issue	Provisions in Previous Law	Provisions in P.L. 104-193	Implications for States and State Strategies
Assigning child support rights and compliance with child support enforcement (CSE)	As a condition of AFDC eligibility, applicants were obligated to assign child and spousal support rights to the state. As a condition of eligibility, applicants or recipients were required to cooperate in establishing paternity of children born out-of-wedlock unless there was good cause for not cooperating (e.g., incest, rape, or pending adoption procedures). Parents had to also identify any third party (such as an alleged father) who might be liable to pay for medical care and services for the child. Genetic testing could be done if any party contested a child support case.	■ To be eligible for TANF block grant funds and food stamps, families receiving TANF must assign their child and spousal support rights to the state. Custodial parents receiving TANF must also comply with child support enforcement or they may lose some (at least 25%) or all of their TANF benefits or may be disqualified for food stamps at state option. ■ Children and their alleged father must submit to genetic testing. If the state fails to enforce penalties on those who refuse to establish paternity, the state's TANF block grant may be reduced.	There was no major change in the law; however, many states are now using lack of compliance with CSE as a reason to sanction families and deny them benefits. In some states, compliance with child support enforcement is part of a responsibility contract that families must sign in order to qualify for TANF and other benefits. STRATEGY: States can help poor noncustodial fathers pay child support by ensuring that training and other work-related services are available to help men get and keep jobs.
Distribution of child support arrears	Under the AFDC system, if unpaid child support accumulated after the family had left welfare, families were paid after the state and federal governments were reimbursed for any AFDC benefits paid to the family while they were on welfare.	■ Under the new "families-first" policy, families no longer receiving TANF will have priority in receiving child support arrears. As of October 1997, unpaid child support that accumulates before or after the family leaves welfare is paid to the family first, before the state and federal governments are reimbursed.* The PRA also stipulates that until October 1, 2000, arrears that accumulate prior to the family's receiving welfare are to be reimbursed to the state and federal governments before the family receives owed support. After that time, unpaid child support that accumulated before families were on welfare will be paid to the family before the state and federal governments. ■ Under the BBA, states are given the option to implement the families-first distribution scheme beginning October 1,1998.	A concern of many noncustodial fathers who owe child support and have children who receive welfare benefits is that the money they pay does not go toward helping their children but, rather, goes to reimburse the state.** Under the families-first system, unless the child support arrears are collected by tax intercept (garnishing income tax refunds), in which case the state gets to keep the collected support, the noncustodial parent does not have to worry about the support getting to his children. STRATEGY: By implementing the arrears distribution earlier rather than later, as permitted under the BBA, states can help working poor families increase their income as soon as they leave TANF.

* However, if tax intercept (withholding from federal income tax refunds) is used, the state will keep the collection as reimbursement for benefits paid to the family. In all other cases, the state can reimburse itself for TANF assistance given to the family only after all post-assistance arrears are paid to the family.

** Several studies on low-income fathers and child support to confirm this were done by the Center on Fathers, Families, and Public Policy. Also see Furstenberg, F. F., Jr., Sherwood, K. E., & Sullivan, M. L. (1992). *Caring and paying: What fathers and mothers say about child support.* New York, NY: Manpower Demonstration Research Corporation (MDRC).

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A Framework for States to Analyze the Implications of the Fatherhood-Related Provisions in the PRA

Issue	Provisions in Previous Law	Provisions in P.L. 104-193	Implications for States and State Strategies
The $50 child support pass-through	Under previous law, the first $50 collected from child support was given directly to the family without affecting the family's benefit level or eligibility status. The remainder of the collection went to the state as reimbursement for AFDC benefits provided to the family in that month. This was called the $50 disregard or pass-through rule. If there was any money left over after the state was reimbursed, it would go directly to the family.	Under the PRA, the $50 disregard rule is eliminated. It is at state option to give none, some, or all of the collected support to eligible TANF families. However, the federal government will no longer reimburse states for a portion of the distributed support as was done in the past. The Balanced Budget Act (BBA) of 1997 allows states to use collected support passed on to the family as part of its mandatory maintenance of effort (MOE).*	Although an additional $50 may not seem like much, to a family with very low-income, such as those on TANF, it may be just enough to buy extra food or needed supplies during the month. Before the BBA, the PRA gave states no real incentive to continue to pass through collected support to families. In fact, 30 states have discontinued the practice. STRATEGY: States may want to reconsider the pass-through now that it counts as MOE.
Denial of passport and revocation of licenses for nonpayment of child support	No provision.	A noncustodial parent can be denied a passport to travel abroad if he is reported by the state as having child support debt in excess of $5,000. The state can also revoke the professional and driver licenses of noncustodial parents in arrears on their child support payments.	These provisions increase states' ability to sanction those fathers who are considered "deadbeat dads," who have the funds but do not support their children financially. STRATEGY: States can evaluate policies such as license and passport revocation to determine the efficacy of these approaches in increasing child support collection rates.
Interstate and international support enforcement	In 1992 the National Conference of Commissioners on Uniform State Laws approved the Uniform Interstate Family Support Act (UIFSA), which instituted uniform laws in all 50 states to limit control of child support orders to a single state. This was done to eliminate jurisdictional disputes between states enforcing separate support orders. There was no provision regarding international support enforcement.	The PRA stipulates that all states must have enacted the UIFSA by January 1, 1998, and adds that states can enforce child support payments when the noncustodial parent is in a foreign country if the foreign country's support enforcement rules conform to standards set forth by the U.S.	States are already using the Internet and other resources to track down so-called "deadbeat dads." With the UIFSA, it will be even more difficult for the noncustodial parent to avoid paying support by moving to another state or another country. STRATEGY: By implementing the UISFA quickly and vigorously, states can help to eliminate debates regarding which state has the right to collect on a support order and enhance states ability to track fathers who willfully try to escape their obligation by fleeing to another state.**

* MOE provisions of the PRA replace the AFDC mandate for states to match federal spending on their welfare programs. The PRA requires states to continue to spend state funds at a level equal to at least 80 percent of their FY 1994 levels. If states meet the minimum work participation rates, the law also allows them to reduce their minimum spending requirement to 75 percent. A report on state spending on MOE in 1997 produced by the U.S. Department of Health and Human Services is on the Internet at http://www.acf.dhhs.gov/programs/opa/facts/finanfs.htm.

** The Deadbeat Parents Punishment Act of 1998 (H.R. 3811) was recently passed by the House of Representatives and the Senate. The bill makes it a felony for those owing child support arrears in excess of $5,000 or overdue by one year or more to intentionally evade child support payments by crossing state lines. See American Public Welfare Association. (1998). *This Week in Washington*, 19(20), p. 2 and 19(24), p. 1.

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A Framework for States to Analyze the Implications of the Fatherhood-Related Provisions in the PRA

Issue	Provisions in Previous Law	Provisions in P.L. 104-193	Implications for States and State Strategies
Fathers' rights	States had the option of making a signed voluntary establishment of paternity be either conclusive or refutable.	There are two prominent provisions regarding fathers' rights in the PRA. ■ First, states must assure that the putative or apparent father has a reasonable opportunity to initiate paternity establishment procedures. ■ Second, states must give either parent 60 days to challenge a signed voluntary establishment of paternity if there is indication of fraud, duress, or material mistake of fact. Child support enforcement will continue during the time of challenge.	These provisions increase the need for states to reach out to custodial and noncustodial parents to help them understand the consequences of giving false information, their legal rights, and their ability to contest an established paternity. STRATEGY: States can institute outreach efforts to provide information on fathers' rights where large groups of fathers gather, such as local YMCAs and work training programs. Outreach can also be done in the hospital during the paternity establishment process.
Work requirements for two-parent families under TANF	No work requirements were stated in the previous law. Waivers were allowed under prior law to enroll some fathers of AFDC recipients in the Job Opportunities and Basic Skills (JOBS) program, which provided activities such as education, job skills training, job readiness, job development, job placement, work supplementation, community work experience, job search, on-the-job training, or other approved work experience. To be counted as participating in JOBS, a person had to engage in at least one activity an average of 20 hours per week.	If the family is receiving federally-funded child care assistance in addition to TANF cash benefits and is not disabled or caring for a disabled child, both parents must meet TANF work requirements. At least one parent must work the required 35 hours per week, while the second parent can work 20 hours per week in employment, work experience, on-the-job training, or community service activities.	Since states can define what constitutes work, anything from parent training to mandatory volunteering may be used to fulfill work requirements. Some states (e.g., Maryland), already consider follow-up with drug treatment referrals as meeting work requirements for those who need such services in order to find and keep a job. Following through with counseling in family violence cases is also considered as meeting work requirements. STRATEGY: States can consider fathers who are receiving drug treatment or counseling as meeting work requirements. States can also guarantee child care slots for low-income two-parent families where both parents are employed.

A Framework for States to Analyze the Implications of the Fatherhood-Related Provisions in the PRA

Issue	Provisions in Previous Law	Provisions in P.L. 104-193	Implications for States and State Strategies
Work requirements for persons owing past-due child support	Previous law allowed waivers for up to five states to enroll noncustodial fathers who were unemployed in the JOBS program to help them secure employment to alleviate accrued child support payments	■ States have the authority to require noncustodial parents who owe support to a child receiving TANF to work or follow a court- or state-approved plan for providing support. ■ States are also required to report on noncustodial parents of TANF recipients participating in work activities each fiscal quarter.	Forcing men into work activities does not necessarily alleviate the problems associated with lack of education and job skills. STRATEGY: States can use Welfare-to-Work funds provided by the BBA to provide training and education to noncustodial parents of TANF children if the custodial parent has barriers to employment, as defined in the law,* or may soon reach their lifetime limit for receipt of welfare benefits.**
Provisions regarding noncustodial minor parents	No provision.	■ States are encouraged but not obligated to have noncustodial parents who are under age 18 and whose child is receiving TANF fulfill community work requirements and attend parent training and money management classes after school. ■ Also, if a minor child who is a noncustodial parent lives with his parents or grandparents, the state can make the minor child's parents or grandparents responsible for child support payments.	■ As with older noncustodial fathers, states can mandate that teen fathers work or participate in other activities, such as parent training and life skills training, or classes to complete their high school equivalency diploma. ■ Forcing adult parents to pay child support for their minor child who is a noncustodial parent may encourage them to teach responsibility to their child. However, this may also put the minor parent at greater risk of being put out of the home. STRATEGY: States can develop a mechanism to ensure that minor noncustodial parents are not forced out of their parents' homes as a result of the implementation of this provision.

* To be an eligible recipient of services provided by Welfare-to-Work funds, the custodial parent of a child on TANF must face at least two of the three following barriers to employment: (1) the individual has not completed secondary school or obtained a certificate of general equivalency and has low skills in reading or mathematics; (2) the individual requires substance abuse treatment for employment; or (3) the individual has a poor work history.

** The PRA established a federal lifetime limit of 60 months for the receipt of benefits from the TANF block grant. States were given the option of reducing the lifetime limit when submitting their state plan for administering the TANF block grant.

A Framework for States to Analyze the Implications of the Fatherhood-Related Provisions in the PRA

Issue	Provisions in Previous Law	Provisions in P.L. 104-193	Implications for States and State Strategies
Abstinence education	In fiscal year 1995, Title XX of the Public Health Service Act set aside $6.7 million for the Adolescent Family Life Program to encourage adolescents to delay sexual activity and to provide services to alleviate the problems surrounding adolescent parenthood. For the past 20 years, states were mandated to make family planning available to welfare recipients.	The PRA sets aside $50 million of the Title V Maternal and Child Health block grant for abstinence education, which is any educational or motivational program that has abstinence from sexual activity as its central focus. The new welfare act deletes the mandate to provide family planning services and allows states to use block grant funds to provide such services at their option.	The allocation of dollars specifically for abstinence education and the deletion of the family planning language sends a clear message to states about what the federal government expects them to emphasize to youth to prevent pregnancy. The definition of what constitutes abstinence education is very specific in the new law. To receive funding, programs must stress that abstaining from sex is the only sure way of preventing out-of-wedlock births, sexually transmitted diseases, and other health problems. Because of the strict guidelines for receiving these dollars, some programs (especially those that provide family planning education along with an emphasis on abstinence) may choose not to pursue this funding. STRATEGY: States can consider reinvesting state savings to fund those programs that emphasize both abstinence and family planning.
National goals on teen pregnancy.	No provision.	The PRA requires the U.S. Department of Health and Human Services (DHHS), by January 1, 1997, to establish and implement prevention strategies to lessen the increase in teen out-of-wedlock pregnancies and to ensure that at least 25% of communities have teen pregnancy prevention programs.	States should be aware that men involved in teen pregnancy are most likely to be young themselves but are not necessarily teenagers.* STRATEGY: State programs to increase male involvement in teen pregnancy prevention should include young adult men as well as preadolescent and adolescent males.

* Landry, D. & Dorroch-Forrest, J. (1995). How old are U.S. fathers? *Family Planning Perspectives*, 27(4), pp. 159-165.

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A Framework for States to Analyze the Implications of the Fatherhood-Related Provisions in the PRA

Issue	Provisions in Previous Law	Provisions in P.L. 104-193	Implications for States and State Strategies
Ranking of states on out-of-wedlock births	No provision.	■ Under TANF, states will be ranked by DHHS annually on the number and percentage of out-of- wedlock births to families on welfare. ■ DHHS will also monitor states' illegitimacy ratios (the proportion of all births that are out-of-wedlock births). Between 1999 and 2002, the five states showing the most substantial decrease in out-of-wedlock births in a two-year period will be eligible for a grant of up to $20 million ($25 million if there are fewer than five states). Only states that have abortion rates lower than their 1995 rate are eligible for this grant.	States now have a monetary incentive to monitor and reduce the number of out-of-wedlock births. Some states are already trying innovative ways to do this, such as providing a cash stipend to mothers on welfare when they marry or by having a family cap (an attempt by some states to modify birthing behaviors by not providing benefits for additional children born to mothers on welfare). However, without evaluation, it is uncertain how beneficial this practice will be.* STRATEGY: The federal government is considering ways to eliminate the "marriage penalty" in the tax law that increases taxes for married couples. States with an income tax could also ensure that married couples are not penalized by their tax collection system.
Statutory rape	No provision.	Under the new welfare law, the attorney general must, by January 1997, implement a program to investigate the link between statutory rape and teen pregnancy and inform states on the prevention and prosecution of statutory rape. The law also encourages states to enforce statutory rape laws vigorously.	In a recent study, researchers at The Urban Institute found that only 8% of births to adolescent women 15–19 years old were within the scope of statutory rape laws.** Some states have already created policies to enforce statutory rape laws more vigorously. STRATEGY: States can evaluate the age differences between teen mothers and their partners before creating overarching policies to ensure that they match the needs of the population.

* For more information on how states can evaluate fatherhood related programs see The Lewin Group. (1997). *An evaluability assessment of responsible fatherhood programs. Final report.* Washington, DC: U.S. Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation.

** Duberstein-Lindberg, L, Sonenstein, F., Ku, L., & Martinez, G. (1997). Age differences between minors who give birth and their adult partners. *Family Planning Perspectives*, 29(2), pp. 61–66.

A Framework for States to Analyze the Implications of the Fatherhood-Related Provisions in the PRA

Issue	Provisions in Previous Law	Provisions in P.L. 104-193	Implications for States and State Strategies
Grants to states for access and visitation programs	In 1990 and 1991, funds were set aside for special demonstration programs by states that encouraged never-married or divorcing parents to cooperate in arranging visits between the children and the noncustodial parent.	PRA provides grants to states to establish access and visitation programs for noncustodial parents. In 1997 and 1998, grants are no less than $50,000. After 1998, grants can be no less than $100,000. States must use funds in conjunction with, not in place of, state funds. Programs do not have to be statewide.	States are given an incentive to increase visitations of noncustodial fathers with their children by establishing special programs. If states do not have such programs already in place, the dollar amounts cited may not be enough to start comprehensive statewide programs. STRATEGY: If they are not already doing so, states can consider using access and visitation funds more systematically to provide counseling and other services to divorcing parents to help them either reconcile or acknowledge the effects of divorce on their children.
Transfer and enforcement of health care coverage	■ The previous law required states to forbid health insurers from disqualifying children from coverage who did not physically reside with the parent or who were born outside of marriage. ■ The previous law required child support enforcement agencies to petition for inclusion of medical benefits in child support orders whenever health care coverage was available to the noncustodial parent at reasonable cost.	If the noncustodial parent changes jobs and the new job provides health care coverage, the state must send notice of a health coverage support order to the new employer, and the noncustodial parent must transfer the enrollment of the child to the new health coverage. The noncustodial parent has the right to contest the state's notice for coverage.	■ This provision ensures that if there is health coverage available to the child through the noncustodial father, it is provided immediately as the father changes jobs. This takes some of the burden of health coverage off the custodial parent. ■ This provision assumes that there will be no additional cost to the noncustodial father for adding additional children to an existing policy. However, as the financing of health care is rapidly changing, employees are shouldering more of the cost of additional benefits which may add a financial burden to the noncustodial father working in a small business or his own business. STRATEGY: States can expand coverage for children through their Medicaid or state child health insurance programs. However, many of these programs offer limited coverage and depend on the age and income of the children. Therefore, ensuring that fathers who are able will contribute to the costs of health care for their children continues to be important.

Endnotes

1. Collins, A. & Aber, J. L. (1997). *How welfare reform can help or hurt children* (Children and Welfare Reform Issue Brief No. 1). New York, NY: National Center for Children in Poverty, Columbia School of Public Health.

2. U.S. House of Representatives (1996). *Personal Responsibility and Work Opportunity Reconciliation Act of 1996: Conference report to accompany H.R. 3734*. Washington, DC: U.S. Government Printing Office. For an in-depth look at how the new welfare law will affect family law, see Roberts, P. (1996). *Family law issues and the "Personal Responsibility and Work Opportunity Reconciliation Act of 1996."* Washington, DC: Center for Law and Social Policy.

3. Knitzer, J. & Bernard, S. (1997). *Map and track: State initiatives to encourage responsible fatherhood*. New York, NY: National Center for Children in Poverty, Columbia School of Public Health.

4. Pleck, J. (1997). Paternal involvement: Levels, sources, and consequences. In M. E. Lamb, (Ed.), *The role of the father in child development, 3rd ed.* New York, NY: John Wiley & Sons.

5. Pavetti, L. A. *The dynamics of welfare and work: Exploring the process by which women work their way off welfare* (Dissertation Series #D-93-1). Cambridge, MA: Malcolm Wiener Center for Social Policy, The Kennedy School of Government, Harvard University.

6. National Center for Children in Poverty. Based on data from the U. S. Bureau of the Census, March 1997 Current Population Survey.

7. See Knitzer & Bernard in endnote 2.

8. Li, J. & Bennett, N. (1998). *Young children in poverty: A statistical update, March 1998 edition*. New York, NY: National Center for Children in Poverty, Columbia School of Public Health.

9. Sorensen, E. (1996) *Low-income noncustodial fathers: Who are they and what are states doing to assist them in their efforts to pay child support?* Washington, DC: The Urban Institute. See also Sorensen, E. & Turner, M. (1996). *Barriers in child support policy: Literature review*. Philadelphia, PA: National Center on Fathers and Families, University of Pennsylvania.

10. Sorensen, E. (In press). *Low-income fathers and the Earned Income Tax Credit*. Washington, DC: The Urban Institute.

11. Scoon-Rogers, L. & Lester, G. H. (1995). *Child support for custodial mothers and fathers: 1991* (Current Population Reports, Consumer Income Series, P60-187). Washington, DC: U. S. Department of Commerce, Bureau of the Census.

12. In a recent NCCP survey of states regarding their welfare plans it was found that only three states planned to use BBA funds exclusively to provide training and employment services to noncustodial parents of TANF recipients and twelve states planned to use BBA funds in combination with state funds for this purpose. See Knitzer, J. & Page, S. (1998). *Map and track: State initiatives for young children and families*. New York, NY: National Center for Children in Poverty, Columbia School of Public Health.

13. In addition to Welfare-to-Work funds, there may be other federal funds available to states to sponsor responsible fatherhood programs in the future. H.R. 3314, the Fathers Count Act of 1998, was recently introduced to Congress. This proposed legislation amends Title IV, Part C of the Social Security Act and, if passed, would make $1.9 billion available to states over a four-year period (FY 2000–2004) to encourage marriage and better parenting by fathers as well as help fathers obtain gainful employment and work-related skills. One of the important features of H.R. 3314 is that it permits funds to be distributed to religious and faith-based organizations on the same basis as nonreligious organizations. Other key features of the bill include stipulating that 75 percent of funds go to nongovernmental organizations and that 80 percent of funds be earmarked for helping low-income fathers.

14. Committee on Human Resources, Employment, and Social Services Policy Division. (1998). *Promoting responsible fatherhood* (StateLine, Feb. 22). Washington, DC: National Governors' Association, Center for Best Practices.

15. See Knitzer & Bernard in endnote 2.

16. Ash, D. O. (1997). *Face to face with fathers: A report on low-income fathers and their experience with child support enforcement*. Chicago, IL: Center on Fathers, Families, and Public Policy, c/o Family Resource Coalition. Also see, Furstenberg, F. F., Jr.; Sherwood, K. E.; & Sullivan, M. L. (1992). *Caring and paying: What fathers and mothers say about child support*. New York, NY: Manpower Demonstration Research Corporation (MDRC).

17. Cleveland, B. C. (1993). Unwed fathers and paternity establishment. Paper presented at the Policy Roundtable on Labor Force Participation and Family Formation, sponsored jointly by the Center for the Study of Social Policy and the Philadelphia Children's Network, Washington, DC.

18. See Ash in endnote 15.

19. Pirog-Good, M. (1993). In-kind contributions as child support: The Teen Alternative Program. In R. Lerman & T. Ooms, (Eds.), *Young unwed fathers: Changing roles and emerging policies* Philadelphia, PA: Temple University Press, pp. 261–266.

20. See Scoon-Rogers & Lester in endnote 10.

21. See Sorensen in endnote 8. For interviews with low-income men paying child support see also Ash in endnote 15.

22. However, if tax intercept (withholding from federal income tax refunds) is used, the state will keep the collection as reimbursement for benefits paid to the family. In all other cases, the state can reimburse itself for TANF assistance given to the family only after all post-assistance arrears are paid to the family.

23. Some states, such as Georgia and Maine, also practice "fill-the-gap" budgeting, which gives families the difference between owed support and how much they received in welfare payments. States that utilize this practice report that families receive more with fill-the-gap than with the $50 pass-through. The PRA allows states to continue fill-the-gap budgeting.

24. For a comprehensive look at how child support assurance can help increase family income, see Garfinkel, I. (1992). *Assuring child support: An extension of Social Security*. New York, NY: Russell Sage Foundation; and Garfinkel, I.; McLanahan, S.; & Robins, P. (Eds.). (1992). *Child support assurance: Design issues, expected impacts, and political barriers as seen from Wisconsin*. Washington, DC: The Urban Institute Press.

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25. For more information on the New York CAP program see Hamilton, W.; Burstein, N. R.; Moss, D.; & Hargreaves, M. (1993) *The New York State Child Assistance Program: Program impacts, costs, and benefits*. Cambridge, MA: Abt Associates.

26. As part of its recently enacted welfare reform legislation, California authorized the creation of up to three CSA demonstration projects for eligible children in families participating in the state's CalWORKS program whose custodial parent has earnings and a child support order. These families would have the option of receiving a guaranteed monthly child support payment instead of TANF. At least one of the demonstration projects must be modeled after New York's Child Assistance Program (CAP). The other two can use a different approach. For information on the California demonstrations, see Roberts, P. (1997). *California's child support assurance legislation*. Washington, DC: Center for Law and Social Policy. This paper is also available on the Internet at http://epn.org/clasp/970917.html.

27. Perry, M. & Argenta, L. A. (1997). *Child support assurance: Overcoming political barriers*. Washington, DC: Center for Law and Social Policy.

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41. The majority of custodial parents in 1991 (86%) were mothers and more recently, the majority of single-parent households (27%) were mother-headed. See Scoon-Rogers & Lester in endnote 10 and Knitzer & Bernard in endnote 2.

42. For an overview of other strategies that states can implement to support father involvement, see Horn, W. & Brenner, E. (1996). *The seven things states can do to promote responsible fatherhood*. Washington, DC: Council of Governors' Policy Advisors and Lancaster, PA: National Fatherhood Initiative.

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Glossary

Note: The terms described below are used in the issue brief series when discussing welfare changes in states and communities. Not all terms appear in each issue brief.

AFDC—Aid to Families with Dependent Children
Aid to Dependent Children (ADC), established by the Social Security Act of 1935, was a cash grant program enabling states to assist children who had no fathers and were in need. It was renamed Aid to Families with Dependent Children (AFDC) in 1965. This program provided public assistance for children in need and their mothers or other caregiver relatives in all 50 states, the District of Columbia, Guam, Puerto Rico, and the Virgin Islands. Children were eligible if they had been deprived of parental support or care because their single mother or father was either continuously absent from home, incapacitated, unemployed, or deceased. Changes in 1988 mandated federal cash supplements to two-parent households in which one parent's unemployment created such a need. The entitlements to cash assistance for low-income families and individuals under the AFDC program ended with the enactment of P.L. 104-193 on August 22, 1996.

BBA—Balanced Budget Act of 1997
The Balanced Budget Act of 1997 (P.L. 105-33) was signed by the President on August 5, 1997. The BBA amends certain TANF provisions of the Social Security Act and authorizes the Secretary of Labor to provide Welfare to Work grants to states and local communities for transitional employment assistance to move hard-to-employ TANF recipients into subsidized jobs and economic self-sufficiency. The BBA also created Title XXI of the Social Security Act—State Children's Health Insurance Program (S-CHIP)—to provide more comprehensive medical coverage for low-income uninsured children.

Child Care Disregard
Federal law required states to disregard certain earned income that went toward child care expenses when determining a family's AFDC or food stamps benefit level. The maximum amount that was disregarded for child care was $175 per month per child ($200 for children under age two).

EA—Emergency Assistance Program
The Emergency Assistance Program, along with AFDC comprised Title IV-A of the Social Security Act. EA provided 50 percent federal matching funds to states for emergency assistance to families with children facing destitution or homelessness for a 30 consecutive-day period in any one year. The EA program was eliminated with the passage of P.L. 104-193 in August 1996.

EITC—Earned Income Tax Credit
The Earned Income Tax Credit is a refundable tax credit available to low-income workers. If the amount of the credit exceeds tax liability, the excess is payable directly to the taxpayer. For the 1997 tax year, the maximum credit a family can receive is $3,656 for those with incomes between $9,140 and $11,930. The credit will phase out at $29,290 for families with more than one child.

Family Cap
The "family cap" concept refers to some state welfare provisions that stipulate welfare funds may not be used to provide additional cash benefits for a child conceived while a family is receiving welfare benefits. P.L. 104-193 omits this provision, giving states the option to continue such experiments.

Food Stamps
This federally-funded program is designed to provide low-income households with sufficient food purchasing power to sustain a nutritionally adequate diet. The cost of this minimal diet is based on the Department of Agriculture's computation of the "Thrifty Food Plan." The Food Stamp Program is designed to provide food purchasing power equal to the difference between the cost of this food plan and 30 percent of the income of the household. P.L. 104-193 eliminates most food stamp benefits to legal aliens and sets more strict income, age, employment, and training guidelines for recipients.

FSA—Family Support Act of 1988
This federal welfare reform legislation changed the AFDC and Child Support Enforcement programs. Since the FSA amended the AFDC program, its major provisions were eliminated with the passage of P.L 104-193 in August 1996. The FSA created a program of education, training, and other work-related services for AFDC recipients and mandated the AFDC-UP program (AFDC for two-parent families) in all states. It strengthened the Child Support Enforcement program requirements for automatic wage withholding of child support, use of state child support guidelines, and the establishment of paternity. In addition, for families leaving AFDC because of increased earnings or loss of the earnings "disregards," (see Child Care Disregard above) the act extended Medicaid coverage to 12 months and established transitional child care assistance (see TCC below) for 12 months.

GA—General Assistance
General Assistance refers to various state-funded cash assistance programs that provide benefits to non-elderly impoverished adults without dependent children. A 1996 Urban Institute survey revealed that of the 41 states and the District of Columbia with GA programs, 32 states have programs that cover the whole state, while 12 states have GA programs in only a portion of the state. Only 12 of the states with a GA program provide financial benefits to all needy adults, and four of the states provide assistance to able-bodied adults.

Head Start
A federal program, begun in 1965, that provides educational, social, nutritional, and medical services to low-income preschool children, ages 0–5. Children from low-income families fill 90 percent of the program slots, with 10 percent reserved for children with disabilities. The program is overseen by the Head Start Bureau in the U.S. Department of Health and Human Services, but administered by individual Head Start agencies at the local level. Head Start emphasizes involving parents as volunteers and as paid Head Start staff members.

IFA—Individualized Functional Assessment
Individualized Functional Assessment is a process used to determine whether a child can engage in "age-appropriate" activities effectively. It was used to assess individuals with disabilities applying for SSI whose impairments did not meet or equal the "Listing of Impairments" in federal SSI program provisions. The IFA process for assessing SSI eligibility ended with the implementation of P.L. 104-193 and was replaced by more restrictive medical listings.

JOBS—Job Opportunities and Basic Skills Training Program
This program, established under the Family Support Act (FSA) of 1988, and eliminated with the passage of P.L. 104-193, required

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states to educate, train, and employ welfare families. This program replaced the Work Incentive (WIN) program and consolidated other welfare-to-work provisions, such as the Job Training Partnership Act (JTPA). The FSA mandated that AFDC parents with children ages three and older participate in JOBS or approved employment and training activities. Parents with children under age six were required to participate for 20 hours per week.

MCHSBG—Maternal and Child Health Services Block Grant
The Maternal and Child Health Services Block Grant is a federal block grant program, authorized under Title V of the Social Security Act. It provides funds to states for health services to pregnant women, infants, children, and adolescents. States determine which services they provide, which can include prenatal care, well-child clinics, immunizations, dental care, family planning, and a wide range of inpatient and outpatient services for children with special health care needs.

Means-Tested Program
Any one of a number of federal, state, or local programs based on the determination of need (measured in cash, income, and non-cash assets) by an individual and/or family for cash and/or non-cash assistance. Means-tested programs funded by the federal government include the Food Stamp Program, housing assistance, SSI, school lunch and breakfast programs, EITC, and Medicaid.

MOE—Maintenance of Effort
Maintenance of Effort under the new welfare law requires that a state maintain a certain percentage of its historic level of spending on specified programs (usually 75 percent of what the state spent in fiscal year 1994 on AFDC, JOBS, EA, and AFDC-linked child care) or they risk losing a proportion of TANF funds. State spending that can count as MOE includes spending on families eligible for family assistance benefits or on families otherwise eligible if not for their alien status or reaching time limits.

P.L. 104-193—The Personal Responsibility and Work Opportunity Reconciliation Act of 1996
The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) became law on August 22, 1996. It replaces the AFDC, EA, and JOBS programs with the TANF block grant. P.L. 104-193 also denies SSI and food stamps to legal immigrants, changes the eligibility requirements for SSI, increases state and federal monitoring requirements for child support enforcement, and provides cash incentives to states to help decrease the number of out-of-wedlock births. TANF also reauthorizes CCDBG.

Qualified Aliens
Also called qualified legal immigrants, qualified aliens are restricted from receiving federal funds from means-tested federal programs under provisions of P.L. 104-193, including SSI and food stamps. Qualified aliens are permanent resident aliens, those granted refugee or asylum status, those paroled into the United States for a period of at least one year, and aliens whose deportation is being withheld. However, states have the option to provide funds to qualified aliens from their own programs or Medicaid. Upon becoming citizens, all former aliens qualify for benefits on the same basis as other citizens.

SSBG—Social Services Block Grant
Social Services Block Grant Program, Title XX of the Social Security Act, provides block grant funds to states to carry out a wide range of social welfare policy. Funds may be spent on services, training, and administration. States have wide leeway in program spending. P.L. 104-193 contains provisions that limit the use of SSBG funds to families with incomes below 200% of federal poverty guidelines, and prevent SSBG dollars from counting against time limits. States maintain the option to use SSBG funds for qualified legal immigrants, and for time-limited assistance to youth transitioning from foster care to adult life. Ten percent of TANF funds can be transferred to SSBG.

SSI—Supplemental Security Income
The Supplemental Security Income program was originally authorized by Title XVI of the Social Security Act and is a means-tested, federally-administered income assistance program for children and adults with disabilities. P.L. 104-193 redefines eligibility for SSI for children with disabilities to eliminate maladaptive behavior as a qualifying medical impairment. Under the new definition, a child must have a medically determinable physical or mental impairment which results in marked and severe functional limitation which can be expected to last for at least 12 months or can result in death.

TANF—Temporary Assistance to Needy Families
Temporary Assistance to Needy Families Block Grant, one of two block grants created by P.L. 104-193, eliminates the federal entitlement to welfare benefits for needy families, and gives most states a grant of funds, based on their welfare program spending in fiscal year 1994, to administer their own welfare programs. TANF replaces the former welfare programs AFDC, EA, and JOBS, with fifty-state designed welfare programs that must be implemented by July 1, 1997. TANF funds place strict requirements on families receiving benefits, including five-year time limits for receiving cash benefits, strict work requirements for single and two-parent families, MOE criteria, limits on benefits to teenage parents, incentives to reduce the adolescent pregnancy rate, performance bonuses for rewarding work and reducing out-of-wedlock births, and limits on benefits to those convicted of drug-related crimes.

TCC—Transitional Child Care
The Transitional Child Care Assistance program was a federal, AFDC-linked child care subsidy program. It was eliminated with the passage of P.L. 104-193 in August 1996. It required states to guarantee up to 12 months of child care to a family who lost AFDC eligibility due to reasons related to employment.

Title IV-E—Foster Care, Adoption Assistance, and Independent Living Programs
These permanently authorized entitlement programs provide open-ended matching funds to states for the maintenance payments made for AFDC-eligible children in foster care family homes, private nonprofit child care facilities, or public child care institutions housing up to 25 people. P.L. 104-193 retained this entitlement along with the guarantee of Medicaid for eligible children, but made the following changes: Title IV-E funds can now go to for-profit agencies, the Independent Living Program is capped, and relatives are to be given preference over non-relative caregivers when placing children in foster care, providing that the relative caregiver meets state child protection standards.

WIC—The Special Supplemental Food Program for Women, Infants, and Children
The Special Supplemental Food Program for Women, Infants and Children provides nutritional screening and food assistance to low-income pregnant and postpartum women and their infants and children up to age five. Participants in the program must have incomes at or below 185 percent of the federal poverty line, and must be nutritionally at risk.

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This new edition updates and expands the information provided in the first edition on the level of commitment to young children and families across the states. It continues to "map" state initiatives for young children and families (e.g., program development strategies, community mobilization and systemic change strategies, and high-level leadership) and "track" them over time. New in the 1998 edition is information on whether states are implementing explicit strategies to link welfare reform with children's initiatives. This edition also contains additional state-by-state indicators of young child and family well-being (e.g., more indicators of health status, parental structure, employment and schooling, extreme poverty and near poverty), new data to indicate state-by-state investments in basic support services for young children (e.g. health care, child care, and early education), young-child-related state welfare provisions (e.g., work exemptions, assets and earnings allowed, child support given), and information on state tax credit programs and other income-promoting supports to low-income families (e.g., job training to noncustodial parents). While eight states have started new programs since 1996, the report shows that commitment to programs for young children and families is not evident in every state or throughout the states that have programs, and that state indicators suggest enormous state-by-state variation. (1998). 208 pp. $19.95

☐ Map and Track: State Initiatives to Encourage Responsible Fatherhood
by Jane Knitzer and Stanley Bernard, in collaboration with Eric Brenner and Vivian Gadsen

This second book in the *Map and Track* series demonstrates the explosion in single-father families and father absence and the decline in the number of married-couple families, and shows how all 50 states are developing activities to encourage responsible fatherhood. It tracks national demographic trends on fathers from 1976 to 1996, and gives current state-by-state statistics on fathers and families, mothers and families, fathers and work, fathers and schooling, fathers and poverty, and fathers and child support. It maps how states are responding to the new demographic realities of fatherhood with strategies that cluster in five areas: (1) promoting fathers' ability to contribute to their children's economic security; (2) preventing unwanted or too-early fatherhood; (3) increasing public awareness about responsible fatherhood; (4) encouraging fathers as nurturers and caregivers; and (5) building community capacity around a fatherhood agenda. Although states are engaged in a substantial number of activities, only seven states have initiatives in all five areas, and little evaluation is taking place to measure program impact. (1997). 180 pp. $19.95

☐ One in Four: America's Youngest Poor

This report is the Center's first book-length analysis of young child poverty in the United States since its 1990 report, *Five Million Children*. *One in Four* examines trends in the young child poverty rate (YCPR) over the last twenty years and answers several key questions about poor children under age six, such as: How many poor young children are there? Where do they live? What are the employment characteristics of their parents? How many live in two-parent or single-parent families? What are their racial and ethnic backgrounds? In what type of residential area (urban, suburban, or rural) and among which racial group is the YCPR increasing most rapidly? Why is the YCPR of vital importance to the United States? What are the policy implications of America's remarkably high YCPR? One in Four provides the YCPRs for each of the fifty states and for America's twelve largest cities. It places America's YCPR in an international context and examines trends for extreme young child poverty and young children in families in near poverty. (1996). Full Report, 88 pp. $16.95 Abridged Version, 32 pp. $7.95

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This volume describes 79 key books, reports, analyses, and special journal issues published from 1990 to 1995 related to young children and their families living in poverty in the United States. It examines policies and programs designed to assist poor children and their parents. Selections reflect the following criteria: national scope, relevance to children in poverty, substantive orientation, practicality, and timeliness. Entries include price and ordering information. (1995). 80 pp. $12.00

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